

REMARKS

By the present amendment, Applicant has amended Claims 1, 7 and 11, and cancelled Claims 4-6 and 15. Claims 1-3 and 7-14 remain pending in the present application. Claims 1 and 11 are independent claims.

Claims 2, 3, 8, and 12-14 were held withdrawn from consideration by the Examiner as being directed to a non-elected species. Since the Examiner has indicated that Claims 1 and 11 are generic, and Applicant submits that the independent Claims 1 and 11 are now allowable, it is requested that Claims 2, 3, 8 and 12-14 be rejoined for examination purposes.

The Examiner objected to the disclosure and Claim 15 for failing to describe and show in the drawings, the feature of the instant claim. Applicant notes that the feature of Claim 15 is described in the specification and shown in the drawings with regard to Fig. 10. Applicant submits that the examination by the Examiner of Claim 15 precludes any election by original presentation because Claim 11 having been deemed generic also embodied in the specification and drawings with regard to Fig. 10.

The Examiner rejected Claims 1, 5-7, and 9-11 under 35 U.S.C. 102(b), as being anticipated by Mathauser. The Examiner rejected Claim 4 under 35 U.S.C. 103(a) as being unpatentable over Mathauser in view of *admitted prior art*. The Examiner rejected Claim

15 under 35 U.S.C. 103(a) as being unpatentable over Mathauser . These rejections are respectfully traversed. .

Applicant has amended independent Claim 1 to recite a housing, that the sensor is a flexible resistor, that the means for attaching the sensor is a flexible bridge such that the sensor flexes in concert with the flexible bridge. Applicant has amended independent Claim 11 to recite a housing, such that the sensor, the alarm signaling device, the electrical circuit, the threshold adjusting means, and the electrical power source are contained within the housing. Applicant respectfully submits that for at least these reasons, Claims 1-3, and 7-14 are allowable over the prior art applied of record.

Applicant will advance arguments hereinbelow to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

The applied prior art reference to Mathauser discloses a fishing rod and strike signaling apparatus in combination having a sensor mounted internally or externally of the rod, at a position remote from the handle, such that the sensor responds electrically to the mechanical flexing thereof as the rod flexes at the position of the sensor. The disclosure of Mathauser requires the sensor to be mounted in close proximity to the rod tip end, rather than the handle end. Mathauser does not disclose a bridge as asserted by the Examiner.

Specifically, the Examiner contends that the element 408 is a bridge as recited in Applicant's Claim 6. Moreover, the electrical leads 408 do not serve or function as the flexible bridge as now recited in the amended Claim 1. Specifically, the bridge, as recited in amended independent Claim 1 supports the flexible sensor thereon, and in operation, the bridge couples the mechanical flexing and vibrations from the rod to the sensor, such that the sensor is not directly attached to the rod.

The applied prior art reference to Mathauser discloses a fishing rod and strike signaling apparatus in combination having a sensor mounted internally or externally of the rod, at a position remote from the handle, such that the sensor responds electrically to the mechanical flexing thereof as the rod flexes at the position of the sensor. The disclosure of Mathauser requires the sensor to be mounted in close proximity to the rod tip end, rather than the handle end. Mathauser does not disclose that the sensor is contained internally of the housing, along with the remainder of the strike sensor elements.

Applicant respectfully submits that the applied prior art reference to Mathauser is not an anticipatory reference against Claim 1, as amended. Likewise, Applicant respectfully submits that the applied prior art reference to Mathauser is not an anticipatory reference against independent Claim 11, as amended. Applicant respectfully requests that this particular grounds of rejection be withdrawn.

With respect to the rejections under 35 U.S.C. § 103(a), the applied prior art reference to Mathauser does not disclose the sensor as a flexible resistor, and the Examiner contends that Applicant's specification renders this feature obvious. Applicant concedes that flexible resistors are conventionally known, and that the Applicant's description sets forth an exemplary flexible resistor useable in combination with the circuit of the present embodiment. However, Applicant submits that there is no teaching found in the applied prior art reference to Mathauser that provides the limitations of independent Claim 1, as amended. Specifically, the disclosure of Mathauser requires the sensor to be mounted in close proximity to the rod tip end, rather than the handle end. Applicant submits that flexible sensor supported by the flexible bridge is not taught, explicitly or implicitly, and thus one having ordinary skill in the art could not have obviously arrived at the embodiment of independent Claim 1, as amended.

Likewise, the Examiners assertion that to shift the position of the sensor from the rod tip end to the housing (mounted at the handle), internally, renders Claim 15 obvious in light of *In re Japikse*, 86 USPQ 70, is unfounded. The fact that Mathauser requires that the sensor be mounted internally or externally to the rod tip end in order to flex in concert with the rod tip end precludes the relocation of the sensor internally of the housing, as recited in Claim 11, as amended. Applicant submits that the repositioning of the sensor in the combined sensor and rod set forth in Mathauser as suggested by the Examiner would

destroy the functionality of the sensor and strike indicator as disclosed in the applied prior art reference to Mathauser.

Applicant respectfully submits that one having ordinary skill in the art would not have found the presently claimed embodiments obvious in view of the applied prior art reference to Mathauser. Applicant respectfully requests that this particular grounds of rejection be withdrawn. A Notice to that effect is earnestly solicited.

The claims in this application have been revised to more particularly define Applicant's unique construction in view of the prior art of record. For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,


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